

REMARKS/ARGUMENTS

Overview of the Office Action

The Specification was objected to by the Examiner for informalities.

Claims 1-10, 13, 15-26, 29, 31-47, 50, and 52 have been rejected by the Examiner under 35 U.S.C. § 102(b) as being anticipated by Ortega et al. (U.S. Patent No. 6,401,084).

Claims 11, 27, and 48 have been rejected by the Examiner under 35 U.S.C. § 103(a) as unpatentable over Ortega in view of Brill et al. (U.S. Publication No. 2003/0037077).

Claims 12, 28, and 49 have been rejected by the Examiner under 35 U.S.C. § 103(a) as unpatentable over Ortega in view of Harris (U.S. Publication No. 2002/0059204).

Claims 14, 30, and 51 have been rejected by the Examiner under 35 U.S.C. § 103(a) as unpatentable over Ortega in view of Hoashi et al. (U.S. Publication No. 2001/0032204).

Status of the Claims/Amendments

The Specification has been amended. Claims 1, 4, 7-8, 19, 23, 40, 44, and 49 have been amended. Claims 3, 5-6, 22, and 42-43 have been canceled without prejudice. Claims 1-2, 4, 7-21, 23-41, and 44-52 are pending. Claims 1, 19, 35, and 40 are the independent claims.

Explanation of Amendments to the Claims

In regard to Claims 1, 4, 7-8, 19, 23, 40, and 44, these claims have been amended to either (a) incorporate the limitation of now-canceled dependent Claims 3, 5-6, 22, and 42-43 respectively, or (b) correct the dependency from a now-cancelled dependent claim to its corresponding pending claim. In regard to amended those from among Claims 1, 4, 7-8, 19, 23, 40, and 44 that were amended to incorporate the limitation of now-canceled dependent Claims 3, 5-6, 22, and 42-43 (as well as for those claims that were amended to correct the dependency from a now-cancelled dependent claim to its corresponding pending claim), it is Applicants' explicit intent for these amended claims to fully retain the entire scope and breath of claimed subject matter as the original, un-amended claims (including all equivalents) except to the

absolutely minimum extent necessary to avoid the explicit teachings of the Ortega reference that do in fact explicitly read upon the invention described by said original claims (if at all), and nothing herein should be interpreted to the contrary as limiting these scope and breadth of these claims in any other way.

In addition, claim 49 has been amended to correct a spelling error, and it is Applicants' explicit intent for this amended claim to fully retain the entire scope and breath of claimed subject matter as the original, un-amended claim (including all equivalents), and nothing herein should be interpreted to the contrary.

Objections to the Specification

The Specification was objected to by the Examiner for certain informalities. In response, the Applicants have amended the Specification to correct these informalities. Applicants respectfully submit that the amendments traverse the Examiner's objections, and Applicants therefore respectfully request that these objections be withdrawn.

Claims Rejected Under 35 U.S.C. § 102(b)

Claims 1-10, 13, 15-26, 29, 31-47, 50, and 52 have been rejected by the Examiner under 35 U.S.C. § 102(b) as being anticipated by Ortega et al. (U.S. Patent No. 6,401,084). In response, Applicants have cancelled without prejudice Claims 3, 5-6, 22, and 42-43 and have amended Claims 1, 19, and 40 to include the limitations of these canceled claims respectively. Claims 1-2, 4, 7-10, 13, 15-21, 23-26, 29, 31-41, 44-47, 50, and 52 are now the pending claims under this present rejection.

In regard to the rejections, Applicants respectfully disagree with the Examiner's conclusions with regard to Claims 6, 22, 35, and 45. More specifically, Applicants respectfully submit that the invention of Ortega does not include each and every claim element present independent Claims 35 and now-canceled dependent Claims 6, 22, and 45, the limitations of which have been incorporated into amended independent Claims 1, 19, and 40 respectively. Independent Claim 35 and amended independent Claims 1, 19, and 40 all include a link by which

an end-user can reject the results of the auto-corrected query and immediately display results for the original query.

For example, in amended Claim 1, which is representative of the independent claims, the method comprises “transmitting link data to the client computing device for displaying a link on the client computing device, which link, if input by the user, re-performs the service with the original query entry data instead of the auto-corrected query entry data.” This is a distinct and separate solution from merely providing the opportunity for an end-user to re-enter the original search query, a distinction that is clearly set forth in the present Application:

If the auto-correction was incorrect, the rarity of which may be set as a parameter, the user may click the link beneath the input box labeled with the original non-corrected entry, in this case “Search for ‘toothpaste’”. If the user clicks on the link with the original non-corrected entry, the user receives “toothpaste” results as if there had been no spell-checking. Alternatively, the user can retype the same spelling “toothpaste”, and receive results for “toothpaste” without any correction, since the system regards the second entry of “toothpaste” as an override of the auto-correct function.

(Specification, page 13, line 26 to page 14, line 3) (emphasis added). Thus the reference to “link” in Claims 1, 19, 35, and 40 is specifically directed to the first solution (a direct link) as described in this quoted section of the Specification. In contrast, the Ortega reference at most suggests the second solution (a new search with auto-correction suppressed).

In order to anticipate a claimed invention, a prior art reference must teach or suggest each and every element present in the claim, and Ortega does not teach or suggest the link element of Claims 1, 19, 35, and 40. Therefore, based on the foregoing analysis, the Applicants respectfully submit that, under 35 U.S.C. § 102(b), Ortega fails to teach all the claim elements necessary to anticipate the invention of independent Claims 1, 19, 35, and 40, and Applicants respectfully request that the rejections as to these claims be withdrawn. Moreover, in regard to Claims 2, 4, 7-10, 13, 15-18, 20-21, 23-26, 29, 31-39, 41, 44-47, 50, and 52, which depend upon Claims 1, 19, 35, and 40 respectively, also be allowed to issue as claims that depend directly or indirectly upon an allowable claim.

Claims Rejected Under 35 U.S.C. § 103(a)

Claims 11, 27, and 48 have been rejected by the Examiner under 35 U.S.C. § 103(a) as unpatentable over Ortega in view of Brill et al. (U.S. Publication No. 2003/0037077). Claims 12, 28, and 49 have been rejected by the Examiner under 35 U.S.C. § 103(a) as unpatentable over Ortega in view of Harris (U.S. Publication No. 2002/0059204). Claims 14, 30, and 51 have been rejected by the Examiner under 35 U.S.C. § 103(a) as unpatentable over Ortega in view of Hoashi et al. (U.S. Publication No. 2001/0032204).

In order to establish a prima facie case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second there must be a reasonable expectation of success. Finally the prior art reference (or references when combined) must teach or suggest all the claim elements. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and cannot be based on applicant's disclosure. (MPEP §§ 2142, 2143.)

Without conceding the propriety of combining Brill or Harris or Hoashi with Ortega, Applicants respectfully submit that Brill, Harris, and Hoashi were each cited for reasons unrelated to the "link" limitation discussed above and present in Claims 11-12, 27-28, and 48-49 by dependency, and Applicants further submit that nothing in Brill or Harris or Hoashi, alone or in combination with Ortega (or, for that matter, with each other), cure the shortcoming of Ortega in regard to the "link" limitation. For this reason, these references fail to teach or suggest each and every element of the claimed invention, and thus a rejection of Claims 11-12, 14, 27-28, 30, 48-49, and 51 on grounds of obviousness in view of these references is unwarranted. Therefore, Applicants respectfully request that the Examiner withdraw the rejections of Claims 11-12, 14, 27-28, 30, 48-49, and 51 under 35 U.S.C. § 103 and allow these claims to issue forthwith.

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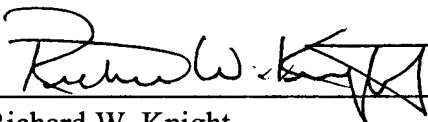
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CONCLUSION

Based on the reasons and rationale set forth herein, Applicants respectfully submit that the objections and rejections have been overcome and, accordingly, Applicants request that the objections and rejections be withdrawn and that the claims be allowed to issue. Should the Examiner have any questions, comments, or suggestions that would expedite the prosecution of the present case to allowance, Applicants' undersigned representative earnestly requests a telephone conference at (206) 332-1394.

Respectfully submitted,

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Richard W. Knight
Registration No. 42,751

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439